



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,226	07/07/2003	Maurizio Passarotto	CAM3-PT027.1	1863

3624 7590 02/02/2004

VOLPE AND KOENIG, P.C.
UNITED PLAZA, SUITE 1600
30 SOUTH 17TH STREET
PHILADELPHIA, PA 19103

EXAMINER

JULES, FRANTZ F

ART UNIT	PAPER NUMBER
----------	--------------

3617

DATE MAILED: 02/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/614,226

Applicant(s)

PASSAROTTO, MAURIZIO

Examiner

Frantz F. Jules

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-50 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 21-31, 33-47 and 49 is/are rejected.
- 7) ☒ Claim(s) 32, 48 and 50 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 07072003 6) ☐ Other: .

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the recitation of "the fixing means is a weld" in claim 50 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

Claim Objections

2. Claims 23, 32 are objected to because of the following informalities:
In claim 23, line 1, the word "a" should be changed to —the—in front of the word valve.
In claim 32, line 3, the word "a" should be changed to —the—in front of the word tire.
Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 33-40 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Art Unit: 3617

In claim 33, lines 8-9, the phrase "a second position in which the tubular is separated from the outer radial wall" is confusing as it is unclear how is this second position achieved.

In claim 33, line 19, the phrase "a tire" is confusing as it is unclear how it relates to previously recited tire above.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 21-23, 27-29, 32-35, 37-38, 41, 45, 49 are rejected under 35

U.S.C. 102(b) as being anticipated by Luscher et al (US 5,746,850).

Claims 21-23, 27-29, 32-35, 37-38, 41, 45, 49

Luscher et al discloses a bicycle wheel rim, comprising: an inner radial wall having a first through hole; an outer radial wall having a second through hole aligned with the first through hole; side walls connecting the inner and outer radial walls together; and a removable tubular element (106) located through the first and second through holes, the removable tubular element further comprising a tubular body having first and second ends; an outwardly extending flange (107) located on the first end which abuts the outer radial wall proximate to the second through hole; the tubular body having a length sufficient to cause the second end to extend inwardly beyond the inner radial wall; a valve connection compatible with a valve body (90) for a bicycle tire; a removable locking mechanism (118) adapted to engage the removable tubular element and to detachably secure the removable tubular member in position with the inner and outer radial walls secured between the outwardly extending flange and the locking

mechanism.

The locking mechanism comprises a nut that is securable to an outer surface of the removable tubular member, the inner and outer radial walls being secured between the flange and the nut.

The rim further comprising a valve body rigidly connected to the second end of the removable tubular element for inflating a chamber defined between a tire and the outer radial wall. The tubular member is capable of being positioned in a first and a second position in the through holes by adjusting the tightening nut.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 24, 36, 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luscher et al in view of Allen (US 5,040,612).

Claims 24, 36, 42

Luscher et al teach all the limitations of claims 24, 36, 42 except for a rim comprising a bushing located between the through holes and the tubular element. The general concept of providing a bushing located between the through holes and the tubular element in a rim assembly is well known in the art as illustrated by Allen which discloses the teaching of a bushing (30) located between the through holes and the tubular

Art Unit: 3617

element (26) in a rim assembly, see fig. 1. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Luscher et al to incorporate a bushing located between the through holes and the tubular element in his advantageous bicycle rim as taught by Doring in order to prevent air leak in the rim assembly.

8. Claims 25-26, 43-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luscher et al in view of Davis et al (3,635,275).

Claims 25-26, 43-44

Luscher et al teach all the limitations of claims 25-26, 43-44 except for a rim comprising at least one O-ring seal between the bushing the removable tubular element. The general concept of providing at least one O-ring seal between the bushing the removable tubular element in a rim assembly is well known in the art as illustrated by Davis et al which discloses the teaching of comprising at least one O-ring seal between the bushing the removable tubular element, see fig. 2. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Luscher et al to incorporate at least one O-ring seal between the bushing the removable tubular element in his advantageous bicycle rim as taught by Doring in order to improve sealing thereby preventing air leak in the rim assembly.

9. Claims 30-31, 39-40, 46-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luscher et al in view of Doring (US 4,564,056).

Claims 30-31, 39-40, 46-47

Art Unit: 3617

Luscher et al teach all the limitations of claims 30-31, 39-40, 46-47 except for a rim comprising at least one O-ring seal between the outward flange of the removable tubular element and the outer radial wall. The general concept of providing a rim comprising at least one O-ring seal between the outward flange of the removable tubular element and the outer radial wall in a rim assembly is well known in the art as illustrated by Doring which discloses the teaching of comprising at least one O-ring seal between the outward flange of the removable tubular element and the outer radial wall, see fig. 5. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Luscher et al to incorporate a bushing located between the through holes and the tubular element in his advantageous bicycle rim as taught by Doring in order to improve sealing thereby preventing air leak in the rim assembly.

Allowable Subject Matter

10. Claims 32, 48, 50 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz F. Jules whose telephone number is (703) 308-8780. The examiner can normally be reached on Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph S. Morano can be reached on (703) 308-0230. The fax phone

Art Unit: 3617

number for the organization where this application or proceeding is assigned is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Frantz F. Jules
Examiner
Art Unit 3617

FFJ

January 27, 2004

FRANTZ F. JULES
PATENT EXAMINER
